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September 3, 2014

United States Attorney  
Eastern District of New York  
610 Federal Plaza  
Central Islip, NY 11722  
Attn: AUSA Saritha Komatireddy

RE: United States v. Philip Kenner & Tommy C. Constantine  
Docket Number: 13-CR-607 (JFB)

Dear Ms. Komatireddy:

With respect to your letter, dated August 29, 2014, received by my office this date, please contact me regarding a mutually agreeable date, time and location when I may review the original documents (bates numbered DOC 1-14) containing “forged signatures” as alleged in your letter. I trust that any additional documents containing “forged signatures” will be delivered within the time period now allotted by the court for the completion of Rule 16 disclosure.

As stated by me during oral argument before the court yesterday, timely disclosure of such information is necessary in order to allow sufficient time to refute the allegations of “forged signatures” in the form of Rule 17(c) subpoenas and/or the retention of expert witnesses to review and analyze the documents. In this regard, I am advised that there may exist an expert witness report in the possession of the Federal Bureau of Investigation concerning the authenticity of the signature of Kenneth Aboud Jowdy on DOC-00000002. Accordingly, kindly consider this letter as a demand for disclosure of such a report and any other expert witness report concerning DOC 1-14 within the meaning of subdivision (a)(1)(G) of Rule 16.

To the extent that the expert witness report does not confirm the signature of Jowdy as a forgery or is otherwise inconclusive, please consider the demand for the expert witness report concerning DOC-0000002 in the nature of a demand for *Brady* material.

Very truly yours,

***Richard D. Haley***

RICHARD D. HALEY

RDH/jm

